

# **EXHIBIT 96**

January 7, 2019

The Honorable Robyn Crittenden  
Secretary of State Elect Brad Raffensperger  
Rep. Barry Fleming  
Members of the SAFE Commission  
214 State Capitol  
Atlanta, Georgia 30334 (via e-mail)

Dear Secretary Crittenden, Secretary Elect Raffensperger, and SAFE Commission Members:

We write to urge you to follow the advice of election security experts nationwide, including the National Academies of Sciences, the Verified Voting Foundation, Freedomworks, the National Election Defense Coalition, cyber security expert and Commission member Professor Wenke Lee, and the many states that are abandoning vulnerable touchscreen electronic voting machines in favor of hand-marked paper ballots as the best method for recording votes in public elections.

Our strong recommendation is to reject computerized ballot marking devices (BMDs) as an option for Georgia's voting system, except when needed to accommodate voters with disabilities that prevent them from hand-marking paper ballots. Hand-marked paper ballots, scanned by modern optical scanners and used in conjunction with risk-limiting post-election audits of election results, should be the standard balloting method statewide.

Although they are expensive and complex devices, computerized ballot markers perform a relatively simple function: recording voter intent on a paper ballot. Since there are no objective, quantitative studies of their benefits, acquiring BMDs for widespread use risks burdening Georgia taxpayers with unnecessary costs. Furthermore, BMDs share the pervasive security vulnerabilities found in all electronic voting systems, including the insecure, paperless DREs in current use statewide. These reasons alone should disqualify BMDs from widespread use in Georgia's elections, especially since there is a better alternative.

Hand-marked paper ballots constitute a safer and less expensive method of casting votes. Hand-marked paper ballots offer better voter verification than can be achieved with a computerized interface. A paper ballot that is indelibly marked by hand and physically secured from the moment of casting is the most reliable record of voter intent. A hand-marked paper ballot is the only kind of record not vulnerable to software errors, configuration errors, or hacking.

The SAFE Commission has heard testimony about voter errors in marking paper ballots and the susceptibility of paper ballots to tampering or theft. No method of balloting is perfect, but vulnerabilities in computerized marking devices, if exploited by hackers or unchecked by bad system designs, raise the specter of large-scale, jurisdiction-wide failures that change election outcomes. For example, with hand-marked paper ballots, voters are responsible only for their own mistakes. On the other hand, voters who use BMDs are responsible not only for

their own mistakes but also for catching and correcting errors or alterations made by a BMD which marks ballots for hundreds of voters. For this reason, well-designed hand-marked paper ballots combined with risk-limiting post-election tabulation audits is the gold standard for ensuring that reported election results accurately reflect the will of the people.

Voter verification of a BMD-market ballot is the principle means of guarding against software errors that alter ballot choices. Many BMDs present a ballot summary card to the voter for verification. The 2018 National Academies of Science, Engineering and Medicine Consensus Report *Securing the Votes: Protecting American Democracy*, which represents the nation's best scientific understanding of election security and integrity, states: "Unless a voter takes notes while voting, BMDs that print only selections with abbreviated names/descriptions of the contests are virtually unusable for verifying voter intent." Although advocates of touchscreen ballot marking devices claim that the human readable text ballot summary cards are "voter verifiable," the contrary is true: voter verified summary cards that contain errors (whether induced by hacking or by design flaws) are likely to be mistakenly cast, making a valid audit impossible. A post-election audit requires a valid source document, either marked directly by the voter or voter verified. Since voter verification of printed ballot summary cards (the source document) is sporadic and unreliable, elections conducted with most ballot marking devices are unauditably.

While you may have been told that touchscreen systems are more "modern" devices, many of your peers and most election security experts have found this appeal to be based on a mistaken view that the voting public will naively accept new technology as a "step forward." We are intimately familiar with the hidden costs, risks, and complexity of these new technologies. We can assure you there is objective scientific and technical evidence supporting the accuracy of traditional, easily implemented scanned and audited hand-marked paper ballot systems. We urge you to recommend such a system as the safest, most cost-effective, and transparent way of conducting future elections.

If we can be of help in providing more information, we hope you will feel free to call upon us.

Sincerely,

Dr. Mustaque Ahamad  
Professor of Computer Science,  
Georgia Institute of Technology

Dr. Andrew Appel  
Eugene Higgins Professor of Computer  
Science  
Princeton University

Dr. David A. Bader, Professor  
Chair, School of Computational Science and  
Engineering  
College of Computing  
Georgia Institute of Technology

Matthew Bernhard  
University of Michigan  
Verified Voting

Dr. Matt Blaze  
McDevitt Chair in Computer Science and Law  
Georgetown University

Dr. Duncan Buell  
NCR Professor of Computer Science and  
Engineering  
Dept. of Computer Science and Engineering  
University of South Carolina

Dr. Richard DeMillo  
Charlotte B. and Roger C. Warren Professor  
of Computing  
Georgia Tech

Dr. Larry Diamond  
Senior Fellow  
Hoover Institute and Freeman Spogli Institute  
Stanford University

David L. Dill  
Donald E. Knuth Professor, Emeritus, in the  
School of Engineering and Professor of  
Computer Science, Stanford University  
Founder of VerifiedVoting.org

Dr. Michael Fischer  
Professor of Computer Science  
Yale University

Adam Ghatti  
Founder / CTO  
Ionic Security Inc.

Susan Greenhalgh  
Policy Director  
National Election Defense Coalition

Dr. Candice Hoke  
Founding Co-Director, Center for  
Cybersecurity & Privacy Protection  
C|M Law, Cleveland State University

Harri Hursti  
Security Researcher  
Nordic Innovation Labs

Dr. David Jefferson  
Lawrence Livermore National Laboratory

Dr. Douglas W. Jones  
Department of Computer Science  
University of Iowa

Dr. Justin Moore  
Software Engineer  
Google

Dr. Peter G. Neumann  
Chief Scientist  
SRI International Computer Science Lab  
Moderator of the ACM Risks Forum

Dr. Ronald L. Rivest  
Institute Professor  
MIT

Dr. Aviel D. Rubin  
Professor of Computer Science  
Johns Hopkins University

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Dr. John E. Savage  
An Wang Professor Emeritus of Computer  
Science  
Brown University

Dr. Barbara Simons  
IBM Research (Retired)  
Former President, Association for Computing  
Machinery

Dr. Eugene H. Spafford  
Professor  
Purdue university

Dr. Philip Stark  
Associate Dean, Division of Mathematics and  
Physical Sciences,  
University of California, Berkeley

*Affiliations are for identification purposes only. They do not imply institutional endorsements.*